

**REMARKS**

Applicant respectfully requests that the foregoing amendments be made prior to examination of the present application.

At the outset, it is noted that the Examiner indicated that claims 13 and 14 were included in the list of claims allowed. It is respectfully submitted that claims 13 and 14 were canceled in the response filed October 20, 2003.

Furthermore, the Examiner has not acknowledged certain references cited on the Information Disclosure Statements filed in the present case even though all the references in question were submitted in the parent application 09/322,297, now U.S. Patent No. 6,395,734. Duplicate copies of the previously submitted references are submitted with a non-marked up copy of a PTO-1449 for initialing by the Examiner.

Claim 3 is cancelled.

Claim 1 is currently being amended.

The amendment to claim 1 clarifies that the  $-(alk_1)Z$  moiety is the  $R^9$  group for compound of Formula I. As such, the proviso language has been deleted from claim 1. Furthermore, the  $R^9$  definition has been clarified to particularly point out that the "substituted or unsubstituted nitrogen" recited in the claim previously is intended to encompass substances where the  $R^9$  moiety is the  $-(alk_1)Z$  moiety where the polar Z group is  $-NR^{11}R^{12}$ . Therefore,  $R^9$  now recites a definition of alkyl substituted with  $-NR^{11}R^{12}$ .

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 2, 4-12, 15, 16, 18-22 and 24 are now in this application.

It is believed that no fees are due in connection with this Rule 312 amendment. In the event this is not correct, the undersigned authorizes the Commissioner to charge Deposit Account No. 19-0741.

Respectfully submitted,

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